

From: [Joe Amato](#)
To: [NYSD Swain Corresp](#)
Subject: Case 01-CR-0058-LTS
Date: Friday, January 17, 2025 11:59:47 AM

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The Honorable Laura Taylor Swain
Chief United States District Judge
500 Pearl Street
New York, NY 10007

Dear Chief Judge Swain,

On December 30, 2024, I received a copy of the response from the United States Attorney's Office via email and I wanted to follow up with you on this information. I sincerely appreciate the time and information set forth, but I had a few items/questions that I would like to highlight to you if I may.

First is TOP, Treasury Offset Program. The document from the United States Attorney's Office indicates that TOP is a means for the Government to collect delinquent debts. I was entered into a payment plan upon my release, and I have not missed any payments. This is why I am still confused as to why I am in TOP, and the letter does not clarify as I am not delinquent. Additionally, the letter mentions that I was informed of being entered into TOP, but I do not have any record of the United States Attorney's Office providing me advance notice that I was being sent to TOP. May I ask if this is a means for the United States Attorney's Office to potentially save costs by no longer servicing my file?

Second, the document indicates that I was released from prison May 11, 2009; yet, I was actually released from prison March 12, 2008, and I was transferred to Toler House in Newark, NJ. I began paying on an established payment plan on August 1, 2008. Hence the document is incorrect on timing which has an effect on the end date of my restitution.

Third, the letter was accompanied by a report showing the monies I have been paying since 2008, but I noticed there is a difference from what I have paid and what is

reflected in the report. Since TOP has been collecting the payments, the United States Attorney's report shows \$21.64 less than the amount that my Social Security check was reduced by. An example is the December 24, 2024, payment was posted as \$241.36 but my payment record shows my Social Security check was reduced by \$263.00, a difference of \$21.64. Please, may I ask why there is a difference. Additionally, when they took my Federal Tax refund on April 27, 2024, the amount was reduced by \$24.28 – my refund was to be \$5,269.00 yet the report shows \$5,244.72.

Thank you, Your Honor, for your time and your assistance in this matter.

Sincerely,

Joseph S. Amato

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